

Message Text

SECRET

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 NSCE-00 DODE-00 CIAE-00
INRE-00 ACDE-00 DOEE-00 /026 W
-----009767 091956Z /63
O 091940Z JUN 78
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 0690
INFO AMEMBASSY LONDON PRIORITY
AMEMBASSY MOSCOW PRIORITY

S E C R E T SECTION 01 OF 02 GENEVA 08828

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E.O.11652:XGDS-3
TAGS: PARM US UK UR
SUBJECT: CTB NEGOTIATIONS: COMPOSITE TEXT OF PROVISIONS
OF MULTILATERAL TREATY PERTAINING TO VERIFICATION

CTB MESSAGE NO.236

1. AT RECENT MEETINGS OF THE POLITICAL WORKING GROUP,
DELEGATIONS DEVELOPED COMPOSITE TEXT OF VERIFICATION
PROVISIONS FOR THE MULTILATERAL TREATY. THIS MESSAGE
CONTAINS CURRENT TEXT WITH BRACKETS INDICATING AREAS FOR
FURTHER NEGOTIATION. CTB MESSAGE NO.237 CONTAINS ANALYSIS
OF TEXT.

2. KEY TO BRACKETS (REPRESENTED IN THIS CABLE BY
PARENTHESES): 1 - US DELEGATION PROPOSAL SUPPORTED BY UK;
2 - SOVIET DELEGATION PROPOSAL; 3 - UK DELEGATION PROPOSAL.
BRACKETS WITHOUT NUMBERS REPRESENT CROSS-REFERENCES TO
BE FILLED IN LATER. BEGIN TEXT:

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ARTICLE II:

1. THE STATES PARTIES TO THIS TREATY UNDERTAKE TO
COOPERATE IN FURTHERING THE OBJECTIVES OF THE TREATY AND
IN ENSURING COMPLIANCE WITH (THE RELEVANT PROVISIONS OF
THE TREATY AND ITS PROTOCOL), PURSUANT TO THE PROVISIONS
OF THIS ARTICLE.

2. PARTIES SHALL USE NATIONAL TECHNICAL MEANS OF VERIFICATION AT THEIR DISPOSAL IN A MANNER CONSISTENT WITH GENERALLY RECOGNIZED PRINCIPLES (AND APPLICABLE RULES) (3) OF INTERNATIONAL LAW TO VERIFY COMPLIANCE WITH THIS TREATY. EACH PARTY UNDERTAKES NOT TO INTERFERE WITH SUCH MEANS OF VERIFICATION OF OTHER PARTIES OPERATING IN ACCORDANCE WITH THIS PARAGRAPH.

3. EACH PARTY MAY PARTICIPATE IN AN INTERNATIONAL EXCHANGE OF SEISMIC DATA IN ACCORDANCE WITH THE GUIDELINES SET FORTH IN THE ANNEX TO THIS TREATY.

4. THE PARTIES SHALL, AS NECESSARY, CONSULT WITH ONE ANOTHER, MAKE INQUIRIES, AND FURNISH INFORMATION IN RESPONSE TO SUCH INQUIRIES, TO RESOLVE ANY QUESTIONS THAT MAY ARISE CONCERNING COMPLIANCE WITH THE PROVISIONS OF THIS TREATY.

5. IF A PARTY HAS DOUBTS REGARDING AN EVENT ON THE TERRITORY OF ANOTHER PARTY THAT MAY HAVE BEEN A NUCLEAR EXPLOSION IN VIOLATION OF (THE RELEVANT PROVISIONS OF THE TREATY AND ITS PROTOCOL), IT MAY SUBMIT TO THAT PARTY (, EITHER DIRECTLY OR THROUGH THE ICC,) (1) A REQUEST FOR AN ON-SITE INSPECTION FOR THE PURPOSE OF ASCERTAINING WHETHER OR NOT THE EVENT WAS A NUCLEAR EXPLOSION. THE REQUESTING PARTY SHALL STATE THE REASONS FOR ITS REQUEST
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INCLUDING RELEVANT SEISMIC (OR) (19) (AND) (2) OTHER PHYSICAL EVIDENCE THAT COULD HAVE BEEN ASSOCIATED WITH A POSSIBLE NUCLEAR EXPLOSION, (AND) (2) THE TIME AND LOCATION AT WHICH, ACCORDING TO THIS EVIDENCE, THE EVENT OCCURED (, AND THE PROPOSED INSPECTION AREA) (1). THE REQUESTED PARTY, UNDERSTANDING THE IMPORTANCE OF ENSURING CONFIDENCE AMONG PARTIES THAT TREATY OBLIGATIONS ARE BEING FULFILLED, SHALL STATE WHETHER OR NOT IT IS PREPARED TO AGREE TO THE INSPECTION. IF THE REQUESTED PARTY STATES THAT IT IS PREPARED TO AGREE TO AN INSPECTION ON ITS TERRITORY, THE PROCEDURES FOR CARRYING OUT THAT INSPECTION SHALL BE ESTABLISHED BY AGREEMENT BETWEEN THE REQUESTING PARTY AND THE REQUESTED PARTY. IF THE REQUESTED PARTY IS NOT PREPARED TO AGREE TO AN INSPECTION ON ITS TERRITORY, IT SHALL STATE THE REASONS FOR ITS DECISION.

(6. AN INTERNATIONAL CONSULTATIVE COMMISSION OF THE PARTIES IS HEREBY ESTABLISHED TO CONSIDER QUESTIONS RELATED TO IMPLEMENTATION OF THE TREATY. THE COMMISSION SHALL NOT DETERMINE WHETHER PARTIES ARE IN COMPLIANCE WITH THEIR OBLIGATIONS. THE COMMISSION SHALL:
(A) BE CONVENED WITHIN 90 DAYS AFTER THE TREATY ENTERS

INTO FORCE, AND PROMPTLY THEREAFTER UPON THE REQUEST OF ANY PARTY TO THE DEPOSITARY OR HIS REPRESENTATIVE, WHO SHALL SERVE AS CHAIRMAN;

(B) TAKE DECISIONS BY CONSENSUS, ESTABLISH ANY NECESSARY SUBORDINATE BODIES, AND DECIDE ANY OTHER QUESTIONS RELATED TO THE ORGANIZATION OF ITS WORK;

(C) DEVELOP, IN ACCORDANCE WITH THE GUIDELINES CON-

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TAINED IN THE ANNEX, THE DETAILED PROCEDURAL AND ORGANIZATIONAL ARRANGEMENTS FOR IMPLEMENTING THE INTERNATIONAL SEISMIC DATA EXCHANGE, AND CONSIDER ANY QUESTIONS REGARDING ITS OPERATION;

(D) SERVE AS A FORUM WHERE PARTIES MAY MAKE INQUIRIES AND FURNISH INFORMATION REGARDING COMPLIANCE WITH THE TREATY, AND MAY REQUEST ON-SITE INSPECTIONS PURSUANT TO PARAGRAPH 5 OF THIS ARTICLE; AND

(E) CONSIDER ANY TECHNOLOGICAL DEVELOPMENTS RELATED TO THE IMPLEMENTATION OF THE TREATY.) (1)

7. PARTIES MAY, BY MUTUAL CONSENT, AGREE ON ADDITIONAL MEASURES TO FACILITATE VERIFICATION OF COMPLIANCE WITH THIS TREATY.

8. IF A PARTY CONCLUDES THAT ANY OTHER PARTY HAS ACTED
IN BREACH OF ITS OBLIGATIONS UNDER THIS TREATY, IT MAY
LODGE A COMPLAINT WITH THE SECURITY COUNCIL OF THE UNITED
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NATIONS. SUCH A COMPLAINT SHOULD INCLUDE ALL POSSIBLE
EVIDENCE CONFIRMING ITS VALIDITY. END TEXT. JOHNSON

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